HEITMULLER *v.* STOKES.

ERROR TO THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

No. 279. Argued April 21, 22, 1921.—Decided May 16, 1921.

The defendant in error, having secured judgment for the possession of his real estate, sold the premises to a stranger, after the case had been removed to this court by writ of error, leaving the defendant in possession. *Held* that, as no controversy remained between the parties, except as to costs, this court would not decide the merits,